

2009R 01588~~CRIM 00520~~C

UNITED STATES DISTRICT COURT

FILED

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NORTHERN DISTRICT OF CALIFORNIA
2011 AUG -3 PM 3:54

SAN JOSE DIVISION

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
N.D. CALIFORNIA

PSG

THE UNITED STATES OF AMERICA

vs.

PETER ALERED-ADEKEYE

INDICTMENT

COUNTS ONE THROUGH FIVE: Title 18, United States Code, Sections 1030(a)(2)(C) & 1030(c)(2)(B)(iii)- Intentionally Accessing A Protected Computer Without Authorization And Obtaining Information Exceeding a Value of \$5,000.

A true bill.

*Mary Elizabeth Sladek**Foreperson*

Filed in open court this 3rd day of August

A.D. 2011

P.S. M

UNITED STATES MAGISTRATE JUDGE*Bail. \$ No bail arrest warrant.*

1 MELINDA HAAG (CABN 132612)
2 United States Attorney

FILED

2011 AUG - 3 P 3:54

4 RICHARD W. WIEKING
5 CLERK, U.S. DISTRICT COURT
6 N.D. CA SAN JOSE
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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN JOSE DIVISION

12 CR11 00520

HJK

SG

13 UNITED STATES OF AMERICA,

No.

14 Plaintiff,

15 v.
16 PETER ALFRED-ADEKEYE,
17 Defendant.

18 VIOLATIONS: 18 U.S.C. §§ 1030(a)(2)(C)
and (c)(2)(B)(iii)-Intentionally Accessing
Protected Computer Without Authorization
and Obtaining Information Exceeding a
Value of \$5,000

SAN JOSE VENUE

19 INDICTMENT

20 The Grand Jury charges:

21 Introductory Allegations

22 At all times relevant to this Indictment:

23 1. Cisco Systems, Inc. (Cisco), was an American multinational corporation that
24 designed and sold consumer electronics, computer networking, and communication technology
25 and services, with headquarters in San Jose, California. Cisco's computer equipment was used in
26 interstate and foreign commerce and communications.

27 2. Cisco maintained a secure computer network with restricted access and stringent
28 policies and protocols to protect its technology and proprietary information. Cisco's website,

www.ciso.com, acted as a gateway to both publicly available information and to Cisco proprietary information, data, and software. Cisco employees were assigned log-in credentials including unique user identifications and confidential passwords that controlled their right to access restricted web pages at cisco.com

3. Peter Alfred-Adekeye (ADEKEYE) was a citizen of Nigeria and the United Kingdom, and was employed at Cisco as an Technical Assistance Center (TAC) engineer until May 6, 2005.

4. On March 2, 2005, while employed at Cisco, ADEKEYE founded and incorporated Multiven, Inc. (Multiven), in Delaware. ADEKEYE thereafter established Multiven's offices in Palo Alto, California, and purported to provide hardware and software service and maintenance work for computer router and networking systems, including those manufactured and sold by Cisco. ADEKEYE was the Chief Executive Officer (CEO) of Multiven.

5. In or about August 2005, an employee at Cisco provided his Cisco log-in credentials, including his unique user identification and password to ADEKEYE, for a specific use, that is, to recommend Multiven be accorded status as a Cisco preferred partner.

6. Between September 2005 and July 2007, ADEKEYE, and other employees of Multiven at ADEKEYE's direction, accessed confidential information and data belonging to Cisco by using the Cisco employee's credentials to log-in through the cisco.com gateway, in excess of the specific use granted by the Cisco employee.

COUNTS ONE THROUGH FIVE: (18 U.S.C. §§ 1030(a)(2)(C) and (c)(2)(B)(iii) - Intentionally Accessing A Protected Computer Without Authorization And Obtaining Information Exceeding a Value of \$5,000)

6. The factual allegations in paragraphs 1 through 6 are re-alleged and incorporated herein as if set forth in full.

7. On or about the dates set forth below, in the Northern District of California,

PETER ALFRED-ADEKEYE

1 accessed a protected computer without authorization and with an intent to defraud, to wit: the
 2 proprietary network of Cisco, and thereby obtained information from said protected
 3 computer that exceeds \$5,000 in value, on the dates and times as set forth in the separate counts
 4 below:

5 Count	6 IP Address	7 Date	8 Time of Unauthorized Access and Item Downloaded
9 1	10 69.181.72.170	11 12-Dec-2006	12 08:43:58 (PST) 13 <u>Downloaded:</u> 14 Cisco IOS Version 12.4.12
15 2	16 69.181.72.170	17 12-Dec-2006	18 08:48:15 (PST) 19 <u>Downloaded:</u> Cisco IOS Version 12.4.3a
20 3	21 69.181.72.170	22 12-Dec-2006	23 08:54:38 (PST) 24 <u>Downloaded:</u> Cisco IOS Version 12.4.9T
25 4	26 69.181.72.170	27 12-Dec-2006	28 08:56:59 (PST) <u>Downloaded:</u> Cisco IOS Version 12.4.9T2
29 5	30 67.161.47.113	31 17-Aug-2006	32 15:27:12 (PST) <u>Downloaded:</u> Cisco IOS Version 12.0.32S3

33 All in violation of 18 U.S.C. §§ 1030(a)(2)(C) and (c)(2)(B)(iii).

34 DATED:

35 A TRUE BILL
36 *mary Elizabeth*
37 *Haag* *MES*
38 FOREPERSON

39 *4/3/2011*

40 MELINDA HAAG
41 United States Attorney

42 *Haag*
43 MATTHEW A. PARRELLA
44 Chief, Computer Hacking and Intellectual Property Unit

45 (Approved as to form:
46 *Richard Cheng*
47 AUSA RICHARD CHENG

AO 257 (Rev. 6/78)

E-FILING

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

COUNTS ONE THROUGH FIVE: (18 U.S.C.
 §§ 1030(a)(2)(C) and (c)(2)(B)(iii))
 -Intentionally Accessing A Protected Computer
 Without Authorization And Obtaining
 Information Exceeding a Value of \$5,000

Petty
 Minor
 Misdemeanor
 Felony

PENALTY:

5 years imprisonment
 \$250,000 fine
 3 years supervised release
 \$100.00 special assessment

PROCEEDING

Name of Complainant Agency, or Person (&Title, if any)

US Secret Service

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprocution of charges previously dismissed
 which were dismissed on motion of:

U.S. Att'y Defense

this prosecution relates to a pending case involving this same defendant

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM

MELINDA HAAG

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y
 (if assigned)

RICHARD CHENG

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) If not detained give date any prior summons was served on above charges
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) On this charge
- 5) On another conviction
- 6) Awaiting trial on other charges

} Fed'l State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No } If "Yes" give date filed

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not
 Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS*

WARRANT Bail Amount: NO BAIL

If Summons, complete following:

Arraignment Initial Appearance

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: _____

Before Judge: _____

Comments: _____